

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00490-TNM**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF JUSTICE

Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 03/01/2018

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Ramona Raula Cotca**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: rcotca@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Michael Joseph Gerardi**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 616-0680
Fax: (202) 616-8460
Email: michael.j.gerardi@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 03/01/2018 | <u>1</u> | COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5355109) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for U.S. Attorney for DC, # <u>3</u> Summons for U.S. Attorney General, # <u>4</u> Summons for U.S. Department of Justice)(Cotca, Ramona) (Entered: 03/01/2018) |
| 03/01/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Cotca, Ramona) (Entered: 03/01/2018) |
| 03/02/2018 | | Case Assigned to Judge Trevor N. McFadden. (zsb) (Entered: 03/02/2018) |
| 03/02/2018 | <u>3</u> | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 03/02/2018) |
| 03/02/2018 | <u>4</u> | STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 3/2/2018. (lctnm3) (Entered: 03/02/2018) |
| 03/13/2018 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/9/2018. (Answer due for ALL FEDERAL DEFENDANTS by 4/8/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/09/18., |

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| | | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 3/9/2018 (Attachments: # <u>1</u> Summons for U.S. Attorney for DC, # <u>2</u> Summons for U.S. Attorney General, # <u>3</u> Summons for U.S. Department of Justice)(Cotca, Ramona) (Entered: 03/13/2018) |
| 04/09/2018 | <u>6</u> | NOTICE of Appearance by Michael Joseph Gerardi on behalf of U.S. DEPARTMENT OF JUSTICE (Gerardi, Michael) (Entered: 04/09/2018) |
| 04/09/2018 | <u>7</u> | ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Gerardi, Michael) (Entered: 04/09/2018) |
| 04/10/2018 | | MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an <i>Open America</i> stay is likely in this case, whether a <i>Vaughn</i> index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before May 1, 2018. Signed by Judge Trevor N. McFadden on 4/10/2018. (lctnm3) (Entered: 04/10/2018) |
| 04/11/2018 | | Set/Reset Deadlines: Joint Status Report due by 5/1/2018. (tg) (Entered: 04/11/2018) |
| 04/13/2018 | <u>8</u> | Joint MOTION for Extension of Time to <i>File Joint Proposed Schedule</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Cotca, Ramona) (Entered: 04/13/2018) |
| 04/16/2018 | | MINUTE ORDER granting the parties' <u>8</u> Joint Motion for Extension of Time. The parties shall now file the schedule as described in the Court's April 10, 2018 minute order before or on May 11, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/16/2018. (lctnm3) (Entered: 04/16/2018) |
| 04/17/2018 | | Set/Reset Deadlines: Joint Status Report due by 5/11/2018. (hmc) (Entered: 04/17/2018) |
| 05/11/2018 | <u>9</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) (Entered: 05/11/2018) |
| 05/14/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>9</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report before or on June 11, 2018. Signed by Judge Trevor N. McFadden on 5/14/2018. (lctnm3) (Entered: 05/14/2018) |
| 05/14/2018 | | Set/Reset Deadlines: A further Joint Status Report is due by 6/11/2018. (hmc) (Entered: 05/14/2018) |
| 06/11/2018 | <u>10</u> | Joint STATUS REPORT (<i>Second</i>) by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) (Entered: 06/11/2018) |
| 06/11/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the parties shall, before or on July 11, 2018, file a further joint status report regarding the status of Defendant's searches and proposing a production schedule. Signed by Judge Trevor N. McFadden on 6/11/2018. (lctnm3) (Entered: 06/11/2018) |
| 06/11/2018 | | Set/Reset Deadlines: Joint Status Report due by 7/11/2018. (hmc) (Entered: 06/11/2018) |
| 06/12/2018 | <u>11</u> | Joint MOTION for Extension of Time to <i>File Third Joint Status Report</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Cotca, Ramona) (Entered: 06/12/2018) |
| 06/12/2018 | | MINUTE ORDER granting the parties' <u>11</u> Joint Motion for Extension of Time. The parties' joint status report shall now be due before or on July 18, 2018. Signed by Judge Trevor N. McFadden on 6/12/2018. (lctnm3) (Entered: 06/12/2018) |
| 06/13/2018 | | Set/Reset Deadlines: Joint Status Report due by 7/18/2018. (hmc) (Entered: 06/13/2018) |

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| 07/18/2018 | <u>12</u> | ENTERED IN ERROR.....Joint STATUS REPORT (<i>Third</i>) by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) Modified on 7/18/2018 (tth). (Entered: 07/18/2018) |
| 07/18/2018 | | NOTICE OF CORRECTED DOCKET ENTRY : re <u>12</u> Status Report was entered in error at the request of counsel and counsel was instructed to refile said pleading. (tth) (Entered: 07/18/2018) |
| 07/18/2018 | <u>13</u> | Joint STATUS REPORT (<i>Third</i>) by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) (Entered: 07/18/2018) |
| 07/18/2018 | | SCHEDULING MINUTE ORDER: Defendant shall provide an initial response and production of responsive, non-exempt agency records on or before August 24, 2018. Thereafter, Defendant shall continue to produce responsive documents on a rolling basis every thirty days, or the next business day if the 30th day falls on a holiday or weekend. The parties shall file a Joint Status Report to the Court regarding the progress of Defendant's production no later than seven days after each rolling production. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/18/2018. (lctnm3) Modified on 7/19/2018 to edit event title (hmc). (Entered: 07/18/2018) |
| 07/19/2018 | | Set/Reset Deadlines: Defendant's initial response and production of responsive, non-exempt agency records due by 8/24/2018, and every 30 days thereafter. (hmc) (Entered: 07/19/2018) |
| 08/31/2018 | <u>14</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Cotca, Ramona) (Entered: 08/31/2018) |
| 09/04/2018 | | NOTICE OF HEARING: The parties shall take notice that a Status Conference is set for 9/13/2018, at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 09/04/2018) |
| 09/13/2018 | | Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 9/13/2018. Government shall provide parts A and B of the Plaintiff's request by 12/1/2018; and calendar request and Freedom of Information Act request in total by 2/1/2019. (Court Reporter: Patricia Kaneshiro-Miller.) (hmc) (Entered: 09/13/2018) |
| 10/05/2018 | <u>15</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) (Entered: 10/05/2018) |
| 11/08/2018 | <u>16</u> | Joint STATUS REPORT (<i>Sixth</i>) by U.S. DEPARTMENT OF JUSTICE. (Gerardi, Michael) (Entered: 11/08/2018) |
| 11/30/2018 | <u>17</u> | Unopposed MOTION to Amend/Correct Status Conference,, Set Deadlines, <i>Modify Processing Order</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 11/30/2018) |
| 12/03/2018 | | MINUTE ORDER: Upon consideration of the Defendant's <u>17</u> Unopposed Motion to Modify Processing Order, it is hereby ORDERED that the Defendant shall release all records response to parts (a) and (b) of the Plaintiff's request by December 14, 2018. The parties shall file a status report on or before December 21, 2018 to update the Court on the status of production. The parties are directed to strictly comply with the Court's <u>4</u> Standing Order, including the provisions governing motions for extension of time. Signed by Judge Trevor N. McFadden on 11/30/2018. (lctnm3) (Entered: 12/03/2018) |
| 12/03/2018 | | Set/Reset Deadlines: Defendant's release of records due by 12/14/2018. Joint Status Report due by 12/21/2018. (hmc) (Entered: 12/03/2018) |
| 12/14/2018 | <u>18</u> | Unopposed MOTION to Modify <i>Processing Order</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Gerardi, Michael) (Entered: 12/14/2018) |
| 12/14/2018 | | MINUTE ORDER: Upon consideration of the Government's <u>18</u> Unopposed Motion to Modify, it is hereby ORDERED that all records responsive to parts (a) and (b) of the records request shall be released to the Plaintiff on or before December 19, 2018. Further requests for extensions of time will be disfavored. Signed by Judge Trevor N. McFadden on 12/14/2018. (lctnm3) (Entered: 12/14/2018) |

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| 12/17/2018 | | Set/Reset Deadlines: Release of all records responsive to parts (a) and (b) of the records request due by 12/19/2018. (tg) (Entered: 12/17/2018) |
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